

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

KERN RIDGE GROWERS, LLC,

Plaintiff,

v.

INTERNATIONAL JUICE
CONCENTRATES, INC. and CARLOS
ORTIZ,

Defendants.

Case No. 2:12-cv-05248-ODW(JEMx)

**ORDER DENYING EX PARTE
APPLICATION FOR ORDER TO
SERVE BY PUBLICATION [12]**

The Court has before it Plaintiff's ex parte application requesting permission to serve Defendant Carlos Ortiz by publication. (ECF No. 12.) Plaintiff's application does not contain sufficient factual support to satisfy the Court that all reasonable diligence has been employed in attempted to serve Ortiz. *See* Cal. Code Civ. Proc. § 415.50(a). For example, Plaintiff fails to explain how its process server ascertained the addresses listed in Exhibit 2 of Bart Botta's declaration. And while Plaintiff contends it "has investigated all of the likely sources of information that must be searched before resorting to publication," Plaintiff only supports this assertion with a vague, apparently non-exhaustive list of such sources. (Appl. 3.) This is flatly

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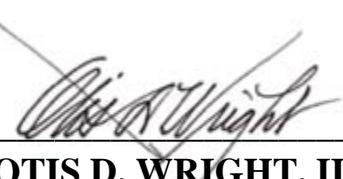
1 insufficient to warrant the drastic measure of service by publication. Plaintiff's ex
2 parte application is therefore **DENIED**.

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4 **IT IS SO ORDERED.**

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6 January 4, 2013

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9 **OTIS D. WRIGHT, II**
10 **UNITED STATES DISTRICT JUDGE**

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